

81-185-A 150 81-185-A 150

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and who is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1 B02-3.B. (Sect. III C.3 1945 Regulations)-to permit a side street setback of 3' in lieu of the required 15'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
Unable to add on to the rear of the house because of the garage and an addition to the rear would interfere with bedroom space.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) CHRISTIAN Wm. SMITH
Signature Signature
Address Address
City and State City and State
Attorney for Petitioner: 936 KINWAT AVE 391-7825
(Type or Print Name) Address Phone No.
Signature ESSEX MD 21221
City and State City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
CHRISTIAN Wm. SMITH
Name
936 KINWAT AVE 391-7825
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of February, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 28th day of April, 1981, at 9:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
Office of Planning and Zoning
FROM: Petition No. 81-185-A Item 150
SUBJECT: Petition No. 81-185-A Item 150

Petition for Variance for side street setback
Northwest corner of Kinwat and Tibsen Avenues
Petitioner- Christian William Smith, et ux

Fifteenth District

HEARING: Tuesday, April 28, 1981 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

NEG:JGH:ob

Norman E. Gerber, Director
Office of Planning and Zoning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 17, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Christian W. Smith
936 Kinwat Avenue
Baltimore, Maryland 21221

RE: Item No. 150
Petitioner - Christian W. Smith, et ux
Variance Petition

Dear Mr. & Mrs. Smith:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NEG:bco

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 13, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #150 (1980-1981)
Property Owner: Christian W. & Brenda J. Smith
N/W corner Kinwat & Tibsen Avenues
Acres: 60 x 87.50 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises Lot 51, Plat No. 1, Marilyn Manor, recorded G.L.B. 17, Folio 91.

Baltimore County highway and utility improvements are not directly involved. Sidewalk has not been constructed along Tibsen Avenue.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 150 (1980-1981).

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:SS

cc: Jack Wimbley

I-SW Key Sheet
3 NE 30 Pos. Sheet
NE 1 H Topo
97 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

April 8, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #150, Zoning Advisory Committee Meeting, February 24, 1981, are as follows:

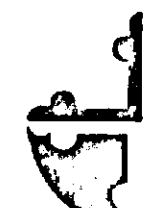
Property Owner: Christian W and Brenad J. Smith
Location: NW corner Kinwat and Tibsen Avenue
Acres: 60 X 87.50
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development



baltime county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

March 16, 1981

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

With regard to ZAC Meeting of February 24, 1981, this department has no comment on Items #149, #150, #151, #152 and #154.

Very truly yours,

Michael S. Flanagan
Engineer Associate II

MSZ/bza



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

February 26, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #150, Zoning Advisory Committee Meeting of February 24, 1981, are as follows:

Property Owner: Christian W. & Brenda J. Smith
Location: NW/Corner Kinwat & Tibsen Avenue
Existing Zoning: D.R. 1.5
Proposed Zoning: Variance to permit a side street setback of 3' in lieu of the required 15'.
Acres: 60 X 87.50
District: 15th

Metropolitan water and sewer exist, therefore no health hazards are anticipated.

Very truly yours,

Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/als

Mr. & Mrs. Christian W. Smith
936 Kinwat Avenue
Baltimore, Maryland 21221

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 24th day of February, 1981

William E. Hammond
Zoning Commissioner

Petitioner: Christian W. Smith, et ux
Petitioner's Attorney: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

ORDER RECEIVED FOR FILING

DATE May 13, 1981
BY John P. [Signature]
ADMINISTRATIVE SERVICES

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of a variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of May, 1981, that the herein Petitioner(s) be(s) to permit a side yard setback of five feet in lieu of the required fifteen feet, for the expressed purpose of constructing an addition to the existing dwelling so as to provide additional habitable space, the location to be in accordance with the site plan filed herein, should be and the same is GRANTED, from and after the date of this

Order, subject, however, to the approval of said site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

March 6, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Md. 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owners Christian W. & Brenda J. Smith

Location: NW Corner Kinwat & Tibsen Avenue

Item No.: 150 Zoning Agenda Meeting of Feb. 24, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER [Signature] Noted and Approved: George M. McGehee
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: March 6, 1981
FROM: Charles E. (Ted) Burnham
SUBJECT: Zoning Advisory Committee
Meeting of February 24, 1981

ITEM NO. 149	Standard Comment
ITEM NO. 150	Standard Comment
ITEM NO. 151	See Comment
ITEM NO. 152	See Comment
ITEM NO. 153	No Comment
ITEM NO. 154	See Comments

[Signature]
Charles E. (Ted) Burnham
Plans Review Chief

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 23, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: February 24, 1981

RE: Item No: 149, 150, 151, 152, 153, 154
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
[Signature]
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

Being known as the northwest corner of Kinwat and Tibsen Avenues as recorded in the Land Records of Baltimore County in Plat Book 17 Folio 91, Flat 1 of Maryln Manor, Lot 51. Otherwise known as 936 Kinwat Avenue. In the 15th. Election District.

Mr. & Mrs. Christian W. Smith
936 Kinwat Avenue
Baltimore, Maryland 21221

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 24th day of February, 1981.

[Signature]
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Christian W. Smith, et ux

Petitioner's Attorney: [Signature] Reviewed by: [Signature]
Nicholas E. Commodari
Chairman, Zoning Plans
Advisory Committee

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 81-1854
Building Permit Application
No. 36635
Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,
[Signature]
[Signature]

PETITION FOR VARIANCE

15th District

ZONING: Petition for Variance for side street setback
LOCATION: Northwest corner of Kinwat and Tibsen Avenues
DATE & TIME: Tuesday, April 28, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side street setback of 3 feet in lieu of the required 15 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3.B (Sect. III C.3 1945 Regulations) - side street setback
All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Christian William Smith, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, April 28, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW corner of Kinwat and : OF BALTIMORE COUNTY
Tibsen Avenues, 15th District

CHRISTIAN WM. SMITH, et ux, : Case No. 81-185-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

[Signature]
Peter Max Zimmerman
Deputy People's Counsel

[Signature]
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of March, 1981, a copy of the foregoing Order was mailed to Mr. and Mrs. Christian Wm. Smith, 936 Kinwat Avenue, Baltimore, Maryland 21221, Petitioners.

[Signature]
John W. Hession, III

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
Office of Planning and Zoning
FROM: Petition No. 81-185-A, Item 150
SUBJECT: Petition for Variance for side street setback
Northwest corner of Kinwat and Tibsen Avenues
Petitioner: Christian William Smith, et ux

Petition for Variance for side street setback
Northwest corner of Kinwat and Tibsen Avenues
Petitioner: Christian William Smith, et ux

Fifteenth District

HEARING: Tuesday, April 28, 1981 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG-JGH:ab

PETITION FOR VARIANCE

15th District

ZONING: Petition for Variance for side street setback
LOCATION: Northwest corner of Kinwat and Tibsen Avenues
DATE & TIME: Tuesday, April 28, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side street setback of 5 feet in lieu of the required 15 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3.B (Sect. III C.3 1945 Regulations) - side street setback
All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Christian William Smith, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, April 28, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

April 14, 1981

Mr. & Mrs. Christian W. Smith
936 Kinwat Avenue
Essex, Maryland 21221

RE: Petition for Variance
N/Cor. Kinwat Avenue and Tibsen Avenue
Case No. 81-185-A

This is to advise you that \$44.50 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland and remit to Sandra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 4/28/81 ACCOUNT: 01-662

AMOUNT: \$44.50

RECEIVED FROM: Mr. & Mrs. Christian W. Smith

FOR: Advertising and Posting Case #81-185-A

4450

VALIDATION OR SIGNATURE OF CARRIER

March 16, 1981

Mr. & Mrs. Christian W. Smith
936 Kinwat Avenue
Essex, Maryland 21221

NOTICE OF HEARING

RE: Petition for Variance - Northwest corner of Kinwat and Tibsen Avenue - Case No. 81-185-A

TIME: 9:45 A.M.

DATE: Tuesday, April 28, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,
TOWSON, MARYLAND

WILLIAM E. HAMMOND
ZONING COMMISSIONER OF
BALTIMORE COUNTY

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 4/12/81
Posted for: Petition for Variance
Petitioner: Christian W. Smith, et ux
Location of property: NW Cor. Kinwat & Tibsen Aves.
Location of Signs: Facing intersection of Kinwat & Tibsen
Remarks: See map
Posted by: W. E. Hammond Date of return: 4/16/81
Number of Signs: 1

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 10 day of Feb, 1981.

Filing Fee \$ 25.00 Received: Cash

Other

William E. Hammond, Zoning Commissioner

Petitioner: Christian W. Smith, et ux Submitted by: S. H.

Petitioner's Attorney: Reviewed by: W. E. Hammond

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, DA, CC, CA										
Reviewed by: W. E. Hammond	Revised Plans: Change in outline or description Yes No									
Previous case:	Map #									

CERTIFICATE OF PUBLICATION

TOWSON, MD. April 2, 1981
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on or about the 28th day of April, 1981, the next publication appearing on the 2nd day of April, 1981.

THE JEFFERSONIAN
A. Frank Smith
Manager

Cost of Advertisement, \$

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 4/28/81 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: Mr. & Mrs. Christian W. Smith

FOR: Filing Fee for Case No. 81-185-A

2500

VALIDATION OR SIGNATURE OF CARRIER

Petition for Variance
N/Cor. Kinwat Avenue and Tibsen Avenue
Case No. 81-185-A

RECEIVED FROM: Mr. & Mrs. Christian W. Smith

FOR: Advertising and Posting Case #81-185-A

4450

VALIDATION OR SIGNATURE OF CARRIER

The Essex Times

Essex, Md. April 9, 1981

This is to Certify, That the annexed

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 9th day of April, 1981.

Charles W. Smith
Publisher

May 13, 1981

Mr. & Mrs. Christian William Smith
936 Kinwat Avenue
Baltimore, Maryland 21221

RE: Petition for Variance
NW/corner of Kinwat and Tibsen Ave-
nues - 15th Election District
Christian William Smith, et ux -
Petitioners
NO. 81-185-A (Item No. 150)

Dear Mr. & Mrs. Smith:

I have this date passed my Order in the above referenced matter in accordance
with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

Being known as the northwest corner of Kinwat and Tibsen Avenues as recorded
in the Land Records of Baltimore County in Plat Book 17, Folio 91, Plat 1 of
Marlyn Manor, Lot 51. Otherwise known as 936 Kinwat Avenue. In the 15th
Election District.

SCALE:
1" = 20'

